

DEANNA L. KWONG (SBN 233480)
COVINGTON & BURLING LLP
333 Twin Dolphin Drive, Suite 700
Redwood Shores, CA 94065
Tel: (650) 632-4700
Fax: (650) 632-4800
dkwong@cov.com

TESS A. HAMILTON (SBN 279738)
COVINGTON & BURLING LLP
One Front Street, 35th Floor
San Francisco, California 94111
Tel: (415) 591-6000
Fax: (415) 591-6091
tahamilton@cov.com

Attorneys for Plaintiff
REYNALDO AYALA

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

REYNALDO AYALA,

Plaintiff,

v.

ROBERT AYERS, JR., et al.,

Defendants.

Case No.: C 10-0979 JSW (PR)

**JOINT STIPULATION AND AMENDED
~~PROPOSED~~ ORDER TO
SHORTEN TIME ON
PLAINTIFF REYNALDO
AYALA'S MOTION FOR
LEAVE TO AMEND
COMPLAINT**

Judge: Hon. Jeffrey White
Place: Courtroom 11, 19th Floor

This Stipulation and Proposed Order is entered into by and among the parties to the above-captioned action.

WHEREAS, on July 26, 2012, Plaintiff filed a Motion for Leave to Amend Complaint ("Motion for Leave to Amend") (Docket No. 53);

1 **WHEREAS**, the hearing on the Motion for Leave to Amend is presently set for October
2 5, 2012 at 9:00 a.m.;

3 **WHEREAS**, the deadline for completion of all non-expert discovery in this case is
4 October 15, 2012 (Docket No. 44);

5 **WHEREAS**, the parties agree that shortened time on the Motion for Leave to Amend is
6 appropriate given the minimal amendments sought and the upcoming discovery deadline;

7 **WHEREAS**, on July 27, 2012, the Court indicated a desire to reset the deadlines as to
8 the Motion for Leave to Amend;

9 **WHEREAS**, the shortened schedule will have no impact on other deadlines in this case;

10 **WHEREAS**, the only previous time modifications in the case were an extension of time
11 for Plaintiff, who was then proceeding pro se, to file an application to proceed in forma pauperis
12 (Docket No. 6); a 90-day extension of time for Plaintiff, who was then proceeding *pro se*, to file
13 an opposition to Defendants' first Motion to Dismiss (Docket No. 18); and an extension of the
14 deadline for the parties' exchange of Initial Disclosures from July 13, 2012 to July 20, 2012
15 (Docket No. 52).

16 The parties agree as follows and respectfully request that the Court enter an Order
17 approve this Stipulation and set the following deadlines as to Plaintiff Reynaldo Ayala's Motion
18 for Leave to Amend Complaint:

- 19 1. Defendants' opposition, if any, will be filed and served on August 9, 2012.
- 20 2. Plaintiff's reply, if any, will be filed and served on August 15, 2012. 31
- 21 3. The hearing date, if the Court deems one necessary, shall be set for August 17,
22 2012 at 9:00 a.m., or at the Court's earliest convenience.

23
24 **IT IS SO STIPULATED.**

25 Dated: July 27, 2012

By: /s/ Martine D'Agostino
Martine D'Agostino
Deputy Attorney General
Attorney for Defendants Wagner, Schlosser,
Hansen, Guthrie, and Faaita

1 Dated: July 27, 2012

By: /s/ Deanna L. Kwong
Deanna L. Kwong
COVINGTON & BURLING LLP
Attorney for Plaintiff Reynaldo Ayala

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4 **ATTESTATION:** Pursuant to General Order 45, Part X-B, the filer attests that concurrence in
5 the filing of this document has been obtained from all signatories.

6
7 **IT IS SO ORDERED.**

8
9 Dated: August 6, 2012

By: Jeffrey S. White
JEFFREY S. WHITE
UNITED STATES DISTRICT COURT JUDGE